State of New Hampshire Office of Licensed Allied Health Professionals Speech-Language Pathology Governing Board Concord, New Hampshire

In the Matter of: Lelsie Londer, SLP (Application for Initial Licensure)

ORDER ON APPLICATION DENIAL

The New Hampshire Governing Board of Speech-Language Pathology ("Board") received an incomplete application for licensure under the name Leslie Zeide (Londer), SLP on October 22, 2010 and a revised, incomplete, application from Leslie Londer ("Ms. Londer" or "Applicant") on February 17, 2011. Both applications requested initial licensure to practice as a Speech-Language Pathologist in the State of New Hampshire. For the following reasons, the Board has voted to **DENY** the Applicant's request for licensure.

Background:

On May 26, 2010, Ms. Londer called the Board's office and requested an application packet. The following day, on May 27, 2010, the Office of Licensed Allied Health Professionals mailed the packet. On September 24, 2010, Ms. Londer again called the Board's office requesting another application packet, stating that she had not received the first one because she is having trouble obtaining the mail where she resides. The Board's staff placed another application packet in the mail on September 27, 2010.

On October 4, 2010 Ms. Londer submitted an application for initial licensure as a speech-language pathologist in the State of New Hampshire. Included with this application form was a check in the amount of \$170.00, 4 letters of reference, a resume¹, and a copy of her license issued by the State of Massachusetts. The application form for licensure and check was returned to Ms. Londer for the following reasons:

¹ The Applicant's resume complied with the Board's administrative rules and was accepted.

- 1) On page 1 of the application Ms. Londer stated her last name was "Zeidel", her first name was "Leslie", and she did not indicate if she had a "middle initial" or "maiden or other name". On page 3 of the application Ms. Londer stated that her last name was "Leidel (-Londer)", her first name was "Leslie", the area to write a middle initial was left blank, and that her maiden or other name was "Zeidel". Ms. Londer then wrote under "(-Londer)" that "sometimes still used by people who have known me".
- 2) The copy of Ms. Londer's Massachusetts license was not needed. (It should be noted that the name on the Massachusett's license is "Leslie Zeidel Londer").
- 3) One letter of reference (from Roberta J. Levine) was submitted in accordance with the Board's administrative rules. Three of the letters of reference were unacceptable for the following reasons:
 - A) The letter written by Ann V. Quinn was not acceptable because it did not state the circumstances under which the writer is familiar Ms. Londer as required by Spe 303.06(d)(7) and did not contain the name and title of the writer as required by Spe 303.06(d)(3).
 - B) The letter written by Dr. Susan Freedman, M.D of Massachusetts General Hospital did not contain the address and phone number of the writer as required by Spe 303.06(d)(4).
 - C) The third letter did not contain any information about the writer or how the writer knew Ms. Londer as described in Spe 306.06.

On October 22, 2010 Ms. Londer submitted a revised application form for Speech-Language Pathology licensure with "Z" listed at the middle initial and "Zeidel(-Londer)" listed as the maiden or other name. Included with this application form was a check in the amount of \$170.00. As this 10/22/10 version of the application form was deemed initially to be sufficient by the office staff, the check was accepted and cashed.

On January 27, 2011 Ms. Londer submitted an additional application form for licensure as a speech-language pathologist. Included with this application form was: a check in the amount of \$170.00; copies of the front and back of Ms. Londer's American Speech-Language-Hearing Association ("ASHA") card; a copy of the front and back of her

Massachusetts SLP license; a letter from the ASHA stating Ms. Londer is certified through them; 2 sets of transcripts from Columbia University (the same transcripts received in 2 different envelopes); transcripts from Boston University; 2 letter of reference; and a resume.

On January 27, 2011 the application form and \$170.00 were returned to Ms. Londer because the Board already had an application form on file and the fee for licensure had been paid. The following materials were not acceptable for the following reasons:

- 1) The letter from ASHA stating Ms. Londer is certified through them was not received directly from ASHA as required by Spe 303.04(d).
- 2) The letter from Roberta J. Levine, M.Ed, Psychologist and Chief Operating Officer at Speaking Inc. was a second copy of a letter of reference previously received and accepted by the Board's office.
- 3) The copies of Ms. Londer's ASHA card and Massachusetts license are not required for licensure by the Board.
- 4) The resume had previously been submitted and accepted by the Board's office. The other submitted materials were accepted.

On February 9, 2011 Ms. Londer's assistant called the Board's office to find out what documentation was missing from her file. The assistant was informed that Ms. Londer must call the Board's office herself to make such inquiries because, by law, this information can only be given the applicant.

Approximately 15 minutes later on February 9, 2011 Ms. Londer herself called the Board's office and spoke with Ms. Williams regarding the status of documentation in her file. She demanded that she be allowed to review her file herself to make sure the documents were all submitted and submitted correctly. Ms. Williams passed the phone to Tina Kelley, Administrator, who explained to Ms. Londer that it would not matter if the Applicant decided that her application file were in order; rather, it was a Board's staff determination in accordance with the rules. During this conversation Ms. Londer was informed that the only documentation which remained missing from her file was: (1) her ASHA letter of verification sent directly from ASHA; and (2) letters of verification from the Massachusetts,

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Pennsylvania, California, and Arizona Boards of Speech-Language Pathology (as she had averred in her October 4, 2010 application form that she was licensed in these jurisdictions).

Again, approximately 15 minutes later, Ms. Londer telephoned the Board's office and spoke with Tina Kelley. Ms. Londer was extremely upset about the fact that she needed to provide letters of verification from every state in which she had ever held a license. During this conversation Ms. Londer made many assertions regarding the process and the requirement to have letters of verification from every state in which she had been licensed. (See file memo dated February 10, 2011 for complete documentation). At the end of this telephone conversation, Ms. Londer stated that she had never held a license in any other state except Massachusetts. Ms. Londer was informed that she needed to submit a letter correcting the inaccurate information on her application and explained to the Board why she told them she had been licensed in four additional states when she had only been licensed in one. Ms. Londer was further told that the Board could check to make sure that the information she provided was accurate.

On February 11, 2011 the Board's office received, directly from ASHA a letter stating Ms. Londer was certified through them. This letter was accepted as having met the requirement set forth in Spe 303.04(d).

On February 14, 2011 Ms. Londer had submitted another copy of a letter stating she was certified through ASHA. This was unnecessary as it was a duplicate of the letter received directly from ASHA three days prior.

On February 16, 2011 a letter of verification was received (dated 2/11/11) directly from the Massachusetts Division of Professional Licensure attesting to the fact that Ms. Londer's Physical Therapy license in Massachusetts was in good standing. The fact that Massachusetts stated that Ms. Londer's physical therapy license was in good standing was a mistake on the part of the Massachusetts Board. On February 22, 2011, a corrected letter of verification was received (dated 2/16/11) from the Massachusetts Board stated that Ms. Londer's Speech Language Pathology license in Massachusetts was in good standing.

On February 17, 2011 Ms. Londer submitted a letter to the Board stating that she submitted an initial application for licensure that was inaccurate with regards to the states she

had previously been licensed in. She stated that due to the fact that she has multiple scleroses she sometimes does not process information correctly. She further stated that she had surgery before filling out the application which caused the symptoms of her multiple scleroses to act up. This made concentration difficult for her when filling out the application. She further stated that Massachusetts was the only state in which she had ever been licensed.

Relevant Law:

RSA 328-F:23:

- II. Misconduct sufficient to support disciplinary proceedings shall include:
 - (a) Knowingly or negligently providing inaccurate material information to the board or failing to provide complete and truthful material information upon inquiry by the board, including during the process of applying for a license, license renewal, and license reinstatement.
 - (f) Actual or potential inability to render care with reasonable skill and safety by reason of illness, by reason of use of alcohol or drugs or any other mental, or by reason of mental or physical condition.

Spe 404.01:

(a) Knowingly or negligently providing inaccurate material information to the board or failing to provide complete and truthful material information upon inquiry by the board, including during the process of applying for an initial, renewed or reinstated license or certificate;

Spe 303.04(h):

- (h) Unless the information is available only on a website, an official letter of verification sent directly to the board from every jurisdiction which has issued a license or other authorization to practice stating whether:
 - (1) The license or other authorization is or was, during its period of validity,. In good standing, and
 - (2) Whether any disciplinary action was taken against the license or other authorization to practice;

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Spe 303.02(f)(5):

(f)(5) Whether the applicant has any physical, mental or emotional condition, or any alcohol or substance abuse problem, which could negatively affect the applicant's ability to practice the profession for which licensure is sought;

Spe 303.02(h)(4):

(h)(4)A list of the jurisdictions where the applicant is or has been licensed to practice.

Findings of Fact and Rulings of Law:

- The Board finds that Ms. Londer failed to provide official letters of verification from every jurisdiction which issue her a license as required by Spe 303.04(h). Specifically, for example, Ms. Londer was actively licensed in Florida and California, and failed to provide letters from these states to the Board.
- The Board finds that Ms. Londer answered "No" to "Have you any physical, mental or emotional condition, or an alcohol or substance abuse problem, which could negatively affect your ability to practice the profession for which you seek licensure:" and then informed the Board in a letter dated February 15, 2011 that she has "multiple scleroses and sometimes I do not process visual information correctly. I had had surgery and my MS was acting up due to undue stress at home which made it difficult for me to focus." This is in violation of RSA 328-F:23 and Spe 303.02(h).
- The Board finds that Ms. Londer did not answer the question "List the jurisdictions where you are, or have been, licensed or certified to practice" accurately in violation of RSA 328-F:23 and Spe 303.02(h)(4). Moreover, Ms. Londer first told the Board that she was licensed in 5 other jurisdictions, then she stated that she was only licensed in one other jurisdiction.
- Ms. Londer did not complete page 4 of the revised application submitted February 17, 2011 which requires a photo as described in Spe 303.04(a) and a notarized signature, printed full name and the date of signing below the following preprinted statement: "I acknowledge that knowingly making a false statement on this application form is a misdemeanor under RSA 641:2, I. I certify that the

information I have provided on all parts of the application form and in the documents that I have personally submitted to support my application is complete and accurate to the best of my knowledge and belief. I also certify that I have read the statute and the rules of the Board and promise that if I am licensed, I will abide by them." as required by Spe 303.02(j).

Conclusion:

For the reasons stated above, the Applicant's application for licensure is **DENIED**.

THEREFORE IT IS ORDERED this Order on Application Denial ("Order") will become a 'final order' within fifteen (15) days of the effective date of this Order, as defined further below, unless prior to 4:00 p.m. on the fifteenth day of the effective date of this Order the Board receives a written request for a hearing; and

IT IS FURTHER ORDERED that receipt of a timely filed hearing request shall automatically stay this Order and a further order shall be issued in due course in which the Board establishes a date and time of the hearing, and specifies the issues to be heard; and

IT IS FURTHER ORDERED that any hearing held in response to this Order shall be a non-adjudicatory hearing conducted pursuant to RSA chapter 326-E; RSA chapter 328-F and RSA chapter 541-A. The Applicant may request to be heard on any relevant matter of law or fact, but evidentiary proceedings shall be conducted only to the extent the Applicant has identified disputed factual issues which require resolution. This non-adjudicatory hearing will be conducted in non-public session unless the Applicant makes a timely written request to conduct it in public session. Subsequent to such hearing, the Board will issues a 'final order' within the statutory amount of time; and

IT IS FURTHER ORDERED that by analogy to RSA 328-F:24, VII a 'final order' is a public document; and

IT IS FURTHER ORDERED that once a Board order is a 'final order' in accordance with either of the circumstances outlines above, the Applicant has thirty (30) days to file a request for reconsideration. Such motion shall comply with the Board's statutes, rules and RSA chapter 541.

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IT IS FURTHER ORDERED that this Order shall take effect as an Order of the Board on the date it is signed by an authorized representative of the New Hampshire Governing Board of Respiratory Care Practitioners.

BY ORDER OF THE BOARD

March 28, 2011

Tina M. Kelléy

Authorized Representative of the Board